

## NEW ITEMS AGENDA

Meeting of the Cook County Board of Commissioners  
County Board Room, County Building  
Tuesday, June 5, 2012, 10:00 A.M.  
Issued: Friday, June 1, 2012  
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### COMMISSIONERS

#### PROPOSED ORDINANCE AMENDMENT

##### NEW ITEM #1

Submitting a Proposed Resolution sponsored by:

TONI PRECKWINKLE, President, JESUS G. GARCIA, EDWIN REYES, DEBORAH SIMS and LARRY SUFFREDIN, County Commissioners

#### **Affirmatively Furthering Fair Housing by Extending Source of Income Protection to Housing Choice Voucher Holders**

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of Cook County that Chapter 42 Human Relations, Sections 42-37 and 42-38, of the Cook County Code shall be amended as follows:

##### **Sec. 42-37. Public Accommodations.**

**(a) Prohibition.** No person that owns, leases, rents, operates, manages, or in any manner controls a public accommodation in Cook County shall withhold, deny, curtail, limit, or discriminate concerning the full use of such public accommodation by any individual on the basis of unlawful discrimination.

##### **(b) Exceptions.**

**(1)** The prohibition contained in this section shall not apply to sex discrimination in any of the following:

**a. Distinctly private facility.** Any facility that is distinctly private in nature, such as rest rooms, shower rooms, bath houses, dressing rooms, or health clubs.

**b. Sleeping rooms.** Any facility that restricts rental of residential or sleeping rooms to individuals of one sex.

**c. Educational institutions.** Any educational institution that restricts enrollment of students to individuals of one sex.

**d. Determination of sex or gender.** For the purposes of the exceptions set forth in Section 42-37(b)(1)a through c, the determination of an individual's sex or gender shall be based upon the sex or gender of that individual as reflected on any official identification of that individual recognized by the State of Illinois, including a driver's license or state identification card.

(2) The Cook County Commission on Human Rights ("Commission") as defined in Section 42-34 shall adopt rules specifying any additional exceptions to the prohibition contained in this section based on bona fide considerations of public policy.

~~(3) Notwithstanding anything to the contrary contained in this article, nothing contained in this section shall require any person who does not participate in the Federal Section 8 housing assistance program (42 U.S.C. § 1437f) to accept any subsidy, payment assistance, voucher, or contribution under or in connection with such program or to lease or rent to any tenant or prospective tenant who is relying on such a subsidy, payment assistance, contribution, or voucher for payment of part of the rent for such place of accommodation.~~

**(c) Sexual harassment.**

(1) No person who owns, leases, rents, operates, manages, or in any manner controls a public accommodation shall engage in sexual harassment affecting access to, participation in, or the full use of such public accommodation.

(2) When used in this subsection, the term "sexual harassment" means any unwelcome sexual advance, request for sexual favors, or conduct of a sexual nature when:

a. Submission to such conduct is an explicit or implicit term or condition of an individual's access to, participation in, or full use of a public accommodation;

b. Submission to or rejection of such conduct by an individual is used as the basis for any decision affecting the individual's access to, participation in, or full use of a public accommodation; or

c. Such conduct has the purpose or effect of substantially interfering with an individual's access to, participation in, or full use of any public accommodation or creating an intimidating, hostile, or offensive environment with respect thereto.

**Sec. 42-38. Housing.**

(a) *Definitions.* The following words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Person* shall mean any person as defined in Section 46-31(15) of this article that is also an owner, lessor, sublessor, assignor, managing agent, or other individual, firm, or corporation having the right to sell, rent, lease, or sublease any housing unit within Cook County, or any agent, broker, or other individual working on behalf of any such individual, firm, or corporation.

*Real estate transaction* means the sale, exchange, rental, occupancy, lease, sublease, or lease renewal of real property for residential purposes in Cook County or the provision of services or utilities in connection with such sale, exchange, rental, occupancy, lease, sublease, or lease renewal. The term "real estate transaction" also means with respect to activity conducted or property located in Cook County, the brokering or appraising of residential real property in Cook County and the making, purchasing, or guaranteeing of loans or mortgages or providing any other financial assistance either:

**COMMISSIONERS continued**

**NEW ITEM #1 (cont'd)**

- (1) For purchasing, constructing, improving, repairing, or maintaining a dwelling; or
- (2) Secured by residential real property.

**(b) Prohibitions.**

(1) *Terms and conditions.* No person shall make any distinction, discrimination, or restriction in the price, terms, conditions, or privileges of any real estate transaction, including the decision to engage in or renew any real estate transaction, on the basis of unlawful discrimination.

(2) *Discriminatory communications.* No person shall publish, circulate, issue, or display, or cause to be published, circulated, issued, or displayed, any communication, notice, advertisement, sign or other writing of any kind relating to a real estate transaction which will indicate or express any unlawful limitation or discrimination on the basis of unlawful discrimination.

(3) *Listings.* No person shall deliberately and knowingly refuse examination of any listing of residential real property within Cook County to any individual because of unlawful discrimination.

(4) *Representations.* No person shall deliberately and knowingly represent to an individual that residential real property is not available for inspection, sale, rental, or lease in Cook County when in fact it is available, or fail to bring a residential real estate listing in Cook County to an individual's attention, or refuse to permit a person to inspect residential real property in Cook County because of unlawful discrimination.

(5) *Blockbusting.* No person shall solicit, for sale, lease, or listing for sale or lease, residential real property within Cook County on the grounds of loss of value due to the present or prospective entry into any neighborhood of any individual or individuals of any particular race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, or housing status.

(6) *Encouragement of blockbusting.* No person shall distribute or cause to be distributed written material or statements designed to induce any owner of residential real property in Cook County to sell or lease such owner's property because of any prospective change in the race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, or housing status of individuals in the neighborhood.

(7) *Creating alarm.* No person shall intentionally create alarm among residents of any community within Cook County by transmitting communication in any manner, including a telephone call whether or not conversation thereby ensues, with a design to induce any person within Cook County to sell or lease the person's residential real property within Cook County because of the present or prospective entry into the vicinity of the property of any individual or individuals of any particular race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, or housing status.

## **COMMISSIONERS continued**

### **NEW ITEM #1 (cont'd)**

(c) *Exceptions.* The prohibitions in this section shall not apply to any of the following:

(1) *Age.* Restricting rental or sale of a housing accommodation to an individual of a certain age group:

a. When such housing accommodation is authorized, approved, financed, or subsidized in whole or in part for the benefit of that age group by a unit of State, local, or Federal government; or

b. When the duly recorded initial declaration of a condominium or community association limits such housing accommodations to individuals 50 years of age or older, provided that an individual or members of the household of an individual owning or renting a unit in such housing accommodation prior to the recording of the initial declaration shall not be deemed to be in violation of the age restriction as long as the individual or household member continues to own or reside in the housing accommodation.

(2) *Religion.* Limitation by a religious organization, association, or society, or any not-for-profit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, of the sale, rental, or occupancy of a dwelling which it owns or operates for other than a commercial purpose to individuals of the same religion, or from giving preference to such individuals.

(3) *Single sex.* Restricting the rental of rooms in a housing accommodation to individuals of one sex. The determination of an individual's sex or gender shall be based upon the sex or gender of that individual as reflected on any official identification of that individual recognized by the State, including a driver's license or State identification card.

(4) *Private rooms.* Rental of a room or rooms in a private home by an owner if the owner or a member of the owner's family resides therein or, while absent for a period of not more than 12 months, if the owner or a member of the owner's family intends to return to reside therein.

~~(5) *Housing assistance program.* Notwithstanding anything to the contrary contained in this article, nothing contained in this section shall require any person who does not participate in the Federal Section 8 housing assistance program (42 U.S.C. § 1437f) to accept any subsidy, payment assistance, voucher, or contribution under or in connection with such program or to lease or rent to any tenant or prospective tenant who is relying on such a subsidy, payment assistance, contribution, or voucher for payment of part of the rent for such housing accommodation.~~

**COMMISSIONERS continued**

**NEW ITEM #1 (cont'd)**

*(d) Sexual harassment.*

- (1) No person shall engage in sexual harassment in any real estate transaction.
- (2) When used in this subsection, the term "sexual harassment" means any unwelcome sexual advance, request for sexual favors, or conduct of a sexual nature when:
  - a. Submission to such conduct is an explicit or implicit term or condition of an individual's real estate transaction;
  - b. Submission to or rejection of such conduct by an individual is used as the basis for any decision affecting the individual's real estate transaction; or
  - c. Such conduct has the purpose or effect of substantially interfering with an individual's real estate transaction or creating an intimidating, hostile, or offensive environment with respect thereto.

**NEW ITEM #2**

**PROPOSED ORDINANCE**

**Sponsored by**

**DEBORAH SIMS, PETER N. SILVESTRI, JOHN P. DALEY, JOHN A. FRITCHEY,  
BRIDGET GAINER, JESUS G. GARCIA, ELIZIABETH ANN DOODY GORMAN,  
GREGG GOSLIN, JOAN PATRICIA MURPHY, TIMOTHY O. SCHNEIDER, ROBERT  
STEELE AND JEFFREY R. TOBLOLSKI, COOK COUNTY COMMISSIONERS**

**COOK COUNTY REDISTRICTING ORDINANCE OF 2012**

WHEREAS, on November 6, 1990, the voters of Cook County approved the creation of 17 separate single-member districts for the election of members of the Cook County Board of Commissioners; and

WHEREAS, Ordinance No. 93-O-34 (the "Cook County Districting Ordinance"), adopted September 21, 1993, provides [in Section 1] that the members of the Cook County Board of Commissioners shall be elected from 17 single-member districts; and

WHEREAS, the County Board is required by law to redistrict after each decennial census to insure that the 17 County Commissioner Districts are of substantially equal population according to census data from the United States Census Bureau; and

WHEREAS, in accordance with that requirement, Ordinance No. 93-O-34 was previously amended by Ordinance No. 01-O-23, adopted September 6, 2001;

**COMMISSIONERS continued**

**NEW ITEM #2 (cont'd)**

WHEREAS, in enacting the redistricting plan set forth in Section 3 and Appendix 1 hereof, the following redistricting principles have been taken into account:

- (1) each of the districts has been drawn to be substantially equal in population;
- (2) each of the districts has been drawn to be consistent with the United States Constitution;
- (3) each of the districts has been drawn to be consistent with the federal Voting Rights Act of 1965, 42 U.S.C. §1973, *et seq.*, as amended;
- (4) each of the districts has been drawn to reflect a balance of the following redistricting principles: the preservation of the core or boundaries of the existing districts; the preservation of communities of interest; respect for township, municipal, ward, and other political subdivision boundaries; the maintenance of incumbent-constituent relationships and tracking of population migration; proposals or other input submitted by members of the public and stakeholder groups; public hearing testimony; respect for geographic features and natural or logistical boundaries; and other redistricting principles recognized by state and federal court decisions.

NOW, THEREFORE, BE IT ORDAINED by the Cook County Board of Commissioners as follows:

Section 1. This Ordinance shall be known as and may be cited as the Cook County Redistricting Ordinance of 2012.

Section 2. The Board of Commissioners of the County of Cook find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference.

Section 3. Sections 3-1 through 3-17, inclusive, of Ordinance No. 93-O-34, as previously amended by Ordinance No. 01-O-23, are hereby amended, and, as amended, shall read and provide as follows in the attached Appendix 1. Cook County Board Districts 1 through 17 shall be comprised as noted in Appendix 1 of this Ordinance.

Section 4.

(a) For purposes of this Ordinance, the districts described in Section 3, Appendix 1 shall be composed of the United States census geography (tracts and blocks), as defined by the 2010 version of the "TIGER" files from the United States Census Bureau. References to "tract" or "CT" shall mean "census tract," as that demographic unit is established by the United States Census Bureau for the 2010 census as described by maps and publications of the Bureau. References to "block," "blocks," or "block groups" refer to those demographic units as established by the United States Census Bureau for the 2010 census as described by maps and publications of the Bureau.

(b) In the census tract and block listing noted in Field 1 of Appendix 1, the first two digits of a census description shall refer to the State of Illinois (17). The next three digits of a census description shall refer to Cook County, which carries a code 031. The next six digits refer to the census tract within Cook County. The last four digits refer to the census block within the census tract. Field 2 of Appendix 1 references the corresponding Cook County Board District.

(c) Any reference to a “city” or “town,” “city or town boundaries,” or “city or town limits” shall refer to the boundaries or limits of a particular city or town as defined by the 2010 version of the “TIGER” files from the United States Census Bureau. “TIGER” is an acronym for the computer readable geographic data base that automates the mapping and related geographic activities required to support the United States’ Census Bureau’s census and survey programs and stands for “Topologically Integrated Geographic Encoding and Referencing.”

(d) In the event of a discrepancy between the listing of tracts and blocks set forth above and any other boundary description or map, the listing of census tracts and blocks set forth in Section 3, Appendix 1 shall take precedence and be controlling.

#### Section 5.

(a) The Cook County Board Districts specified in Section 3, Appendix 1 of this Cook County Redistricting Ordinance of 2012 shall become effective upon approval and adoption of this Ordinance and County Commissioners shall be nominated and elected in 2014 by the legal voters of each County Board District as set forth and specified in this Ordinance, subject to the following limitations:

- (1) Any County Commissioner elected in 2010 or appointed to fill a vacancy in office occurring subsequent to the 2010 general election but prior to the November 2014 general election shall, until his or her term is completed and his or her successor is elected and qualified in 2014, continue to represent and serve the residents and legal voters of the District from which he or she was elected or appointed as such District existed as of the 2010 general election; and
- (2) Any vacancy in the office of County Commissioner occurring on or after the approval and adoption of this Ordinance and prior to the November 2014 general election shall be filled as provided in Section 2-71 of the Cook County Code by the appropriate district committee consisting of the committeemen of each ward or township contained in whole or in part within the County Board District in which the vacancy has occurred as such District existed as of the 2010 general election.

(b) Any vacancy in nomination for the office of Cook County Commissioner occurring on or after the general primary election in 2014 shall be filled as provided in Section 22-32 of the Cook County Code of Ordinances by the appropriate district committee consisting of the committeeman of each ward or township contained in whole or in part within the County Board

District in which the vacancy occurs as set forth and specified in Section 3, Appendix 1 of this Ordinance.

Approved and adopted this \_\_\_\_ day of June, 2012.

**\*NOTE: If you would like to view (Appendix 1) specified in Section 3, follow the link below:**

**<http://legacy.cookcountygov.com/secretary/new%20items.html>**